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January 30, 2017

Filed via CM/ECF

The Honorable Peter J. Messitte
United States District Judge
U.S. District Court, District of Maryland
6500 Cherrywood Lane
Greenbelt, MD 20770

Re: *Lann v. Trinity Health Corporation, et al.*, Civ. No. PJM 14-2237
(consolidated with Civ. No. PJM 16-1417)

Dear Judge Messitte:

I represent Plaintiffs in the above-referenced matter. I submit this joint correspondence on behalf of Plaintiffs and Defendants in response to the Court's Memorandum Opinion and Order issued on January 9, 2017 (Dkt. 86), and a Status Conference held with the Parties on January 23, 2017.

Pursuant to the Court's Order, Plaintiffs hereby respectfully submit the following in support of their Motion for Preliminary Approval of the Class Action Settlement Agreement (Dkt. 75):

- a) Revised Draft First Addendum to the Settlement Agreement
- b) Schedule B to the Settlement Agreement (to be filed under seal)
- c) Schedule C to the Settlement Agreement (to be filed under seal)
- d) Schedule D to the Settlement Agreement
- e) Revised Draft Class Notice
- f) Revised Letter to Group B Class Members
- g) Revised Letter to Group C Class Members

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h) Revised Proposed Order Preliminarily Approving Settlement and Notice Procedures, and Confirming Final Settlement Hearing

The revisions to these documents are in accordance with the Court's Order (Dkt. 86), and address the concerns discussed at the October 28, 2016 hearing and the January 23, 2017 Status Conference. However, the Parties would like to draw the Court's attention to the following two documents in particular.

First, at the Court's suggestion, the Parties will now incorporate into the Settlement Agreement, as Schedule D, the Court's chart summarizing the effects of the contingent carve out provisions in the Settlement Agreement. *See* First Addendum, Schedule D. The Parties had previously advised the Court, via letter correspondence filed January 13, 2017 (Dkt. 87), that the chart as drafted by the Court accurately reflected the impact of the contingent carve out provisions, with two minor clarifications submitted with my letter. Upon further review and in order to conform the chart precisely to the Settlement Agreement, the Parties have made two further substantive clarifications to the chart. They are as follows:

- 1) Editing the column "Impact on Releases" to now read "Impact on Released Claims, Groups A, B, C" to reflect that the impact of the carve outs on the release applies to all Class Members; and
- 2) Inserting the word "prospectively" in the following sentence, each place it appears in the chart: "The Settlement Agreement's stipulated release of claims becomes void *prospectively* and participants are deemed to have not released ERISA claims prospectively against Defendants..."

Second, please note that the Revised Proposed Order contemplates a 113-day interval between the granting of Preliminary Approval and the Final Fairness Hearing. For the Court's convenience, the Parties respectfully submit that they are available for a Final Fairness hearing on any day after May 25, 2017.

Sincerely,

/s/ Michelle C. Yau

Michelle C. Yau

Enclosures